

BILL NO. S-74-04-26

SPECIAL ORDINANCE NO. *Wetzel*

AN ORDINANCE authorizing the execution of a deed to the State of Indiana for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana is the owner of real estate in Allen County, Indiana, described as follows:

Beginning at the junction of the north line of the New York, Chicago and St. Louis Railway and the Section Line between Section Five (5) and six (6) in Township Thirty (30), North Range 13 East, Allen County, Indiana, thence south 74-1/2 degrees east 250 feet for a point of beginning; thence south 74-1/2 degrees east, 54-92/100 feet; thence north 39 degrees east 299-64/100 feet; thence north 65 degrees west 425-98/100 feet; thence southeasterly 450 feet to the place of beginning, located in Section Five (5) Township Thirty (30) North Range 13 East, Allen County, Indiana.

Being the same premises conveyed to the Grantor by The Stadler Products Company, by deed dated July 27, 1931 and recorded in Book #331, Page #254, in the office of the Recorder of Allen County, Indiana.

Subject to the Grantors right to an easement to cross over property to dump sludge at sludge lagoons between buildings and river. (road)

Subject to Grantees using property for all lawful means and to abide by all laws and ordinances of the State of Indiana and the City of Fort Wayne and County of Allen.

and

WHEREAS, the City of Fort Wayne is not occupying the real estate in any proprietary or public manner, and has no foreseeable use for the real estate.

and

WHEREAS, this Council has determined that it will be in the best interests of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law.

and

WHEREAS, three independent appraisals as to the value of the real estate have been submitted.

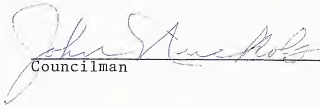
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to the State of Indiana, for the parcel of real estate, herein described,

such deed to be in a form of a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the Seal of said City.

SECTION 2. This ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage.

  
\_\_\_\_\_  
Councilman

APPROVED AS TO FORM  
AND LEGALITY.

  
\_\_\_\_\_  
CITY ATTORNEY

Read the first time in full and on motion by Thulbaw, seconded by Seige, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 4-23-74

Shirley M. Whitman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.  
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	_____	_____	_____	_____	_____
HINGA	_____	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____	_____
MOSES	_____	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____	_____
STIER	_____	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

John H. [Signature]  
MAYOR

Bill No. S-74-04-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
Authorizing the execution of a deed to the State of Indiana for  
certain real estate owned by the City of Fort Wayne, Indiana

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance <sup>Withdrawn</sup> ~~passed~~ PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

*John Nuckols*  
*Vivian G. Schmidt*  
*William T. Hinga*  
*Paul M. Burns*  
*Donald J. Schmidt*



## City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Dr. Jerry Boswell - Chairman-Board of Work Date May 14, 1974

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council - May 21, 1974

COPIES TO:

RE: BILL NO. S-74-04-26

AN ORDINANCE authorizing the execution of a deed to the State of Indiana for certain real estate owned by the City of Fort Wayne, Indiana.

RE: BILL NO. S-74-04-28

AN ORDINANCE approving a Lease Agreement with Haskell B. Schultz for off-street parking in the 1900 Block of South Calhoun Street.

Your presence is requested on May 21, 1974, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and John Nuckols, Chairman of the Standing Committee of Regulations, in regard to the above bills.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bills.

Charlie

DIGEST SHEET

TITLE OF ORDINANCE

Special OrdinanceA-74-04-26

DEPARTMENT REQUESTING ORDINANCE

Board of Works

SYNOPSIS OF ORDINANCE

Councilmanic approval of sale of the abandonedmunicipal incinerator.

EFFECT OF PASSAGE

City sells unusable property. The blight will beremoved by new owners at their expense.

EFFECT OF NON-PASSAGE

City will still be burdened with managing thisproperty.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)

Regulations